

# **DCP COMPLIANCE ASSESSMENT**

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**DEMOLITION OF EXISTING SHED AND  
CONSTRUCTION OF TOURIST AND  
VISITOR ACCOMODATION – EIGHT  
SERVICED APARTMENTS**

**52 COWPER STREET, STROUD, NSW, 2425  
(LOT: 1 DP1106136)**



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Section	Requirement	Proposed	Complies
<b>3 – Character Statements</b>			
<b>3.2.2.1 Stroud</b>			
	<p>The desired future character of Stroud as expressed by the community is for the existing ambience and settlement pattern of the historic village to be maintained.</p> <p>To achieve this, new development is to 'fit in' with the historic character and is to follow the historic design cues embodied in the village and environs. These cues relate to the low scale building form, open grid street pattern and open landscape setting of Stroud.</p> <p>Protection of the existing historic buildings, places and landscape is of fundamental importance in the growth and development of Stroud.</p> <p>The protection of historic buildings and places is particularly important within the 'bridge to bridge' precinct which incorporates the Stroud Heritage Conservation Area.</p>	<p>The proposed design has given due consideration to the existing and surrounding buildings, proposing, simple, pitched roof forms in several smaller volumes rather than a single large mass. This enables the hierarchy of form between the hotel and the proposed cabins to be maintained, presenting the cabins at a smaller, residential scale more in keeping with the residential components of the site's context. The pitched, gabled roof forms create a sympathetic but contemporary and clearly legible relationship with the existing character.</p> <p>The smaller scale of the proposed cabins ensures that the proposal does not overwhelm the existing hotel or the residential neighbours, which is further facilitated by the lightweight nature of the proposal, reducing the apparent mass to below that of nearby masonry structures.</p> <p>Most of the design is single storey in nature. Careful reduction in height of the two-storey pavilions being has occurred to incorporate a single storey with an attic storey above which</p>	Yes

Section	Requirement	Proposed	Complies
		results in a smaller overall building which positively contributes to the existing character.	
<b>4 – Environmental Considerations</b>			
<b>4.1 Ecological Impacts</b>			
	In considering whether to grant consent to a development, Council will consider biodiversity and ecological matters relevant to the development and the land which is affected by that development.	<p>The site of the proposed development is not identified as containing biodiversity value. A desktop assessment was undertaken which involved mapping review, database searches, and stratification of predicted vegetation and fauna habitats. These assessments did not identify any native vegetation or habitat within the subject site.</p> <p>The development proposes the removal of one (1) tree which is of poor quality and does not contribute to the site. All trees outside of the scope of works and any street trees adjacent the site will be suitably protected during any building works on site.</p> <p>The proposal will allow for sufficient areas of landscaping within the boundaries of the site for additional compensatory plantings to be provided in future. The amenity of the locality will not be significantly adversely reduced with regard to the removal of the trees.</p> <p>Refer to accompanying Landscape Plan contained here as <b>APPENDIX 9</b>.</p>	Yes
<b>4.2 Flooding</b>			

Section	Requirement	Proposed	Complies
	<p>New buildings are to be designed and located entirely outside of the 2100 flood planning area wherever possible.</p> <p>New buildings are to be designed with habitable floor levels above the 2100 1% AEP flood planning level.</p> <p>In circumstances where construction of a new building at the 2100 1% flood planning level is likely to have an adverse impact on the adjoining property or the visual amenity of the location, a variation may be sought. If supported by Council, the new building may be designed with habitable floor levels above the 2060 1% AEP flood planning level.</p> <p>Vehicle access to new buildings is to be designed to so that ingress and egress from the site is provided above the 2100 1% AEP flood planning level.</p>	The site is not identified as being located within a flood planning area.	N/A
<b>4.3 Coastal Planning Areas</b>			
	This section of the DCP applies to land identified as being within a Coastal Risk Planning Area on the Coastal Risk Planning Maps of Great Lakes Local Environmental Plan (LEP) 2014, where the provisions of Clause 7.4 Coastal Risk Planning of the LEP also apply.	The site of the proposed development is not identified as land being within a Coastal Risk Planning Area in Great Lakes Coastal Risk Planning Maps, therefore, further consideration of this section is not required.	N/A
<b>4.4 Effluent Disposal</b>			
	The fundamental design of an On-site Sewage Management System (OSMS) for development where effluent is disposed of by a non-reticulated system and where Council's prescribed buffer distances cannot be achieved, must meet the minimum standards for the relevant On-Site Sewage Management Hazard Class for both the treatment and disposal of the effluent.	Each new unit will be individually serviced. Technical matters dealt with via s68 application as a condition of consent.	Yes

Section	Requirement	Proposed	Complies
<b>4.5 Poultry Farms Buffer</b>			
	Proposed development must not place the occupiers of future premises in locations where they may be unreasonably affected by odour, dust, noise or activities associated with existing intensive agricultural development such as poultry farms.	Not applicable – the proposed development is not located within proximity to land associated with intensive agriculture.	N/a
<b>4.6 Contaminated Land</b>			
	Land that is identified as potentially contaminated land is subject to the provision of State Planning Policy (SEPP) No.55 – Remediation of Land.	<p>The site has been used for commercial purposes since at least 1913 (Central Hotel, Stroud). Surrounding land has been utilised for low density residential purposes. No known contaminated material is located on the site and the site is not identified on the EPA Register as being contaminated.</p> <p>As such, the subject site is suitable for the proposed development and the objectives of SEPP No.55 have been satisfied.</p>	N/A
<b>4.7 Bush Fire</b>			
	All development proposals on land identified as bushfire prone are to be accompanied by a bush fire hazard assessment report in accordance with the NSW Rural Fire Service Planning for Bush Fire Protection 2006 (or as amended).	The site of the proposed development is not identified as Bush Fire prone land.	N/A
<b>5 – Single Dwellings, Dual Occupancies, Villas and Townhouses</b>			
<b>5.1 Solar Access and Overshadowing</b>			

Section	Requirement	Proposed	Complies
1	Buildings should be designed to allow at least two hours of sunshine upon the internal and outdoor living areas of adjacent dwellings and between 9.00 am and 3.00 pm on 21 June.	The buildings have been appropriately set back from each other and the site boundaries to ensure compliance with the requirements of this Section.  The possibility of overshadowing is minimal given the setbacks and height of the units; thus, shadow diagrams have not been submitted.	Yes
2	Where the possibility of overshadowing may occur, shadow diagrams are to be submitted to illustrate the shadows cast by the proposed building at 9.00 am, 12.00 noon and 3.00 pm on 21 June.		
5.2 Views and Privacy			
1	In designing buildings, the concept of 'view sharing' should be adopted by considering the impact of buildings on the views enjoyed by neighbours.	The setback distance between the proposed units and adjoining residential dwellings is large (i.e., over 30m (east) and 15m (north), thus view sharing and visual privacy issues are negligible. Existing vegetation adjoining these boundaries is proposed to be retained. Side windows have been minimised where possible to reduce any privacy impacts within the site.	Yes
2	Visual privacy for adjoining properties and within development projects can where necessary, be achieved by:  a) Using windows which are narrow, translucent or obscured to bathrooms and toilets;  b) Ensuring that windows do not face directly onto the windows, balconies or courtyards of adjoining dwellings; or  c) Screening windows, balconies and courtyards within 3m of a property boundary.  d) Privacy screens should not impact upon existing view sharing arrangements.		
3	Where windows or balconies of dwellings are within 9m of windows or balconies of other dwellings, some form of screening or reduction in window areas should be provided to ensure visual privacy		

Section	Requirement	Proposed	Complies
<b>5.3 Energy Efficiency</b> – Not applicable as residential development is not proposed.			
<b>5.4 General Building Design</b>			
1	Built form is to be articulated into a series of linked massing elements. Each massing element is to have an overall maximum wall length of 12m. Note: this control does not apply to a single storey dwelling, except when located on a corner block.	No massing element of each building is greater than 12m. The length of cabin 2 measures 11.09m and is appropriately articulated with windows and materials.	Yes
2	Buildings are to contribute to an active street by having a window to a living area or bedroom fronting the primary street.	Front windows have been incorporated to enable proper address of the street and associated passive surveillance.	Yes
3 – 5	Not applicable – no attached garages or carports are proposed.	N/A	N/A
6	On corner Lots, the building design should provide an address to both streets.	The portion of the site proposed for development is not located on the corner. The proposed development addresses Memorial Avenue and the existing Hotel addresses both Memorial Avenue and Cowper Street.	N/A
7	Building entries/front doors should be directly visible from the street and preferably part of dwelling frontage.	The proposal addresses the street and provides logical and convenient connections to the road network and pedestrian facilities in the locality. The design incorporates a clearly identifiable entry point and articulated façade that will make a positive inclusion within the street.  There are no anticipated adverse impacts on the built environment as a result of the proposed development.	Yes



Section	Requirement	Proposed	Complies
8	To aid the environmental performance of buildings and for visual amenity of new buildings, eaves with a minimum width of 600mm to the north, east and west of the external perimeter or 70% of external walls should be considered.	Noted.	Yes
9	Building designs are to be stepped to follow the contours of the site rather than requiring extensive cut and fill to enable 'slab on ground' construction.	The proposed structures follow the contours of the site where possible, forming a 'stepped' design from the front to rear boundary. Extensive cut and fill has been avoided, achieving harmony with the existing and adjoining properties.	Yes
10	<p>Colour and materials are to be sympathetic to the existing character of the street and natural setting of the locality. Highly reflective materials should be avoided. On sloping sites in built up areas, reflective, white and other light coloured roof materials should be avoided to reduce glare impacts to adjoining properties.</p> <ul style="list-style-type: none"> <li>To ensure residential buildings have sufficient separation to provide privacy, solar access, landscaping opportunities and amenity for occupants.</li> <li>A residential building must be setback from its primary road frontage a sufficient distance to ensure safe vehicular access and egress from the site.</li> </ul>	<p>The proposal is designed to offer an appealing character and built form to enhance the streetscape. The development uses quality architectural designs and colours that assimilate with and contribute to the established development in proximity to the site. Highly reflective materials have been avoided.</p> <p>A number of elements such as the light weight vertical cladding, colourbond roof, sandstone blocks and associated use of natural colours and materials ensure an appropriate contemporary aesthetic – Compatible with established residential development within the immediate area. The proposal demonstrates a positive design response to the surrounding mixed-use context.</p>	
<b>5.5.2 Residential and Village Zones</b>			

Section	Requirement	Proposed	Complies
<b>5.5.2.1 Primary Road Setback Controls</b>			
1	Where there are existing neighbouring houses within 40m, the primary road setback should be an average of the setbacks of the nearest two neighbouring houses, with the same primary road frontage.	<p>Whilst the proposed development is not 'residential' in use, the site is located within the Village Zone, thus the controls specified within this section have been utilised.</p> <p>The development maintains a 3.7m and 6.9m setback to Memorial Avenue, in line with the adjoining hotel and residential development. Given the distance between the nearest residential dwelling to the east, the setback is considered acceptable and to positively contribute to the streetscape.</p>	Yes
2	Not applicable – No garages or carports are proposed.	N/A.	N/A
3	A reduced primary road setback may be considered when the side and rear boundaries of an allotment are located within (in whole or part) the coastal planning area. It must be demonstrated that the reduced setback does not detrimentally impact upon the amenity of adjoining properties, streetscape or vehicular access and egress from the site.	N/A.	N/A
<b>5.5.2.5 Side and Rear Setback Controls</b>			
1	<p>A residential building must be setback from its side boundaries:</p> <ul style="list-style-type: none"> <li>a) A minimum of 900mm for a building with a maximum wall height of 3.8m.</li> <li>b) Where the wall height is greater than 3.8m the minimum setback shall be: 900mm + (building height over 3.8m/4)</li> </ul> <p>For example for a building with a wall height of 6.2m:</p>	The eastern side setback is maintained at 3m.	Yes

Section	Requirement	Proposed	Complies
	$900\text{mm} + (6.2\text{m} \times 3.8\text{m}/4)$ $900\text{mm} + (2.4\text{m}/4)$ $900\text{mm} + 600\text{mm} = 1.5\text{m}$		
2	<p>A residential building must be setback from its rear boundary:</p> <p>a) A minimum of 3m for a building with a maximum wall height of 3.8m.</p> <p>b) Where the wall height is greater than 3.8m the minimum setback shall be: <math>3\text{m} + (\text{building height over } 3.8\text{m}/4)</math></p> <p>For example for a building with a wall height of 6.2m:</p> $3\text{m} + (6.2\text{m} \times 3.8\text{m}/4)$ $3\text{m} + (2.4\text{m}/4)$ $3\text{m} + 600\text{mm} = 3.6\text{m}$	The rear setback is over 15m and thus compliant.	Yes
3	Windows, balconies, terraces and decks closer than 3m from a side or rear boundary may require privacy screening, to reduce the impact on the privacy of adjoining buildings.	No privacy screening is required given the compliant setbacks proposed, greater than 3m.	Yes
4	A two storey residential building could have its ground floor 900mm from the side boundary with the second storey set back further as required by the formula.	N/A – a two storey residential building is not proposed.	N/A
5	Reduced side and rear setbacks may be considered when the primary road frontage of an allotment is located within the coastal planning area. It must be demonstrated that the reduced setbacks do not detrimentally impact upon the amenity, privacy and solar access to private outdoor areas of adjoining properties.	N/A	N/A
<b>5.6 Building Heights</b>			

Section	Requirement	Proposed	Complies
1	The maximum height permitted may not be achievable in all instances due to site limitations.	Noted. The proposed height is under the prescribed LEP control of 8.5m as detailed within the SEE.	Yes
2	The floor level of the upper most habitable floor, including decks or verandahs, is to be no more than 5.1m above ground level on sites with slopes greater than 1:6.	The site slopes are no greater than 1:6.	N/A
3	The exposed subfloor of any building should be minimised wherever possible.	Noted.	N/A
4	Where a development may impinge upon significant views, solar access, privacy or a streetscape, Council may require height profiles to be erected prior to notification or exhibition.	No impingement on views, solar access, privacy or streetscape will occur.	N/A
<b>5.9 Fencing and walls</b>			
1	Fences within the front setback area from a primary road are to be a maximum 1.2m high and a minimum 50% open construction for the upper two thirds of the fence.	Memorial Avenue is a secondary road, due to the corner lot location of the site. Despite this, the proposed fencing incorporates repairs (or replacement) to the existing post and wire fence to match existing, along with a 1.5m high sandstone block wall adjoining the car parking area to act as an entry feature. The fencing is consistent and complimentary to the existing fencing in the area and considered compliant with this control.	Yes
2	Fences behind the building line (front setback) are to be a maximum of 1.8m high.	Noted. Any boundary fencing will comply with this requirement.	Yes

Section	Requirement	Proposed	Complies
3	Where fences are located on top of retaining walls the maximum height of the combined structure shall not exceed 1.2m within the building setback to any street, and 2.1m elsewhere on the site.	No fences are located on top of retaining walls.	N/A
4	Any fences to public reserves including drainage reserves, shall be limited to a maximum height of 1.2m and a minimum of 50% open construction.	No fences to public reserves are proposed.	N/A
5	Fences are to be constructed so they do not prevent the natural flow of stormwater drainage/runoff.	Noted. Fencing along the side and rear boundaries will ensure compliance with this control and will be confirmed throughout negotiations regarding the stormwater easement.	Yes
6	Fences on corner lots with two road frontages should be constructed with an open form (e.g., pool type fencing) within 3m of a corner to assist with sight distance requirements for drivers.	No fencing within the corner is proposed.	N/A
<b>8 Heritage</b>			
	All development within the Heritage Conservation Area and/or affecting a Heritage Item (by reference to two lots in any direction) must ensure that the significance and integrity of the Area and/or Item is retained. Development consent is generally required to carry out work on land or buildings in a "heritage conservation area" and/or affecting a "heritage item".	The site of the proposed development is identified as being located within a Heritage Conservation Area and on a site inclusive of a Heritage Item. As such, a Statement of Heritage Impact has been prepared and is provided at <b>APPENDIX 7</b> .	Yes
<b>9 Subdivision</b>			
	This section provides site controls for the subdivision of land.	The proposed development does not involve the subdivision of land. Therefore, further consideration under this section is not required.	N/A
<b>10 Car Parking, Access, Alternative and Active Transport</b>			

Section	Requirement	Proposed	Complies				
10.3 Car Parking							
10.3.1.3 All Development Excluding Residential							
1	<p>The minimum parking requirements outlined in the table below should be used when minimum parking rates:</p> <ul style="list-style-type: none"><li>are not provided by relevant legislation; or</li><li>are not determined by a detailed parking demand survey in accordance with the Austroad publication Guide to Traffic Management Part 11 Parking (2008).</li></ul> <table><tr><th>Type</th><th>Car spaces</th></tr><tr><td>Bed &amp; Breakfast Accommodation</td><td>1 off-road space per guest bedroom</td></tr></table>	Type	Car spaces	Bed & Breakfast Accommodation	1 off-road space per guest bedroom	<p>The proposed development is not residential in form or use; thus the requirements of this clause apply. The parking rates provided are the closest to and consistent with a bed and breakfast use specified by this section.</p> <p>Ten (10) parking spaces have been provided including one accessible space, within the existing gravel parking area. It is noted that historically, this parking area has not been utilised by the hotel, with patrons generally using on-street parking available or attend the hotel by foot due to close walking distance to surrounding residential properties.</p> <p>The proposed parking area will not be formalised due to the site levels and complexities this poses for stormwater drainage. Rather, the area will be compressed gravel in form, with a formalised crossover from Memorial Avenue in accordance with Council's requirements.</p> <p>The parking provision and form is considered satisfactory in this regard.</p>	Yes
Type	Car spaces						
Bed & Breakfast Accommodation	1 off-road space per guest bedroom						
11 – Water Sensitive Design							
11.3 General Objectives and Controls for Water Sensitive Design							

Section	Requirement	Proposed	Complies
	<p>All development must meet the relevant water quality targets identified for that type of development as set out in the applicable Stormwater Quality Targets table within this DCP, except in the instance of a</p> <p>Council approved Stormwater Strategy or Drainage Plan which will specify the targets to be met for identified parcels of land.</p>	<p>A Stormwater Management Plan has been prepared and contained here as <b>APPENDIX 8</b>.</p> <p>Mid Coast Council water quality guidelines were used, and a music model created to show compliance with treatment targets.</p>	Yes
<b>12 Tree and Vegetation Preservation</b>			
1	The Tree and Vegetation Removal Checklist sets out the criteria for when approval is required to remove a tree or other vegetation covered by this section of the Great Lakes Development Control Plan	This Policy seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	Yes
2	The Tree and Vegetation Preservation section of the DCP provides guidance on how to meet the requirements of the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.	<p>The development proposes the removal of one (1) tree which is of poor quality and does not contribute to the site. All trees outside of the scope of works and any street trees adjacent the site will be suitably protected during any building works on site.</p> <p>The proposal will allow for sufficient areas of landscaping within the boundaries of the site for additional compensatory plantings to be provided in future. The amenity of the locality will not be significantly adversely reduced with regard to the removal of the trees.</p> <p>Refer to accompanying Landscape Plan contained here as <b>APPENDIX 9</b>.</p>	

Section	Requirement	Proposed	Complies
13 Landscaping and Open Space			
Large Lot Residential, Rural and Environmental Zones Additional Landscaping and Open Space Objectives			
13.1.2 Controls			
1	A minimum of 30% of the site area is to be set aside for landscaping preferably with native vegetation at existing natural ground level and a deep soil zone. The landscaped area does not include any building, garage, or impervious surface such as a driveway or swimming pool.	46.7% of the site comprises landscaping, as shown on the architectural plans.  A Landscape Plan has been prepared and accompanies this development application, contained at <b>APPENDIX 9</b> .  It is considered the development incorporate appropriate landscaping for the subject site.	Yes
2	The deep soil zone is that part of the site that is not built on, paved or otherwise sealed, where the soil is of sufficient depth to support the growth of trees and shrubs. At least 50% of the landscape area is to include deep soil zones.		
3	Landscaping is to be provided both behind and in front of the building line. Landscaping of less than 1.5m in length and width shall not be included in landscape area calculations.		
4	All sites are to be provided with a minimum of 1.5m wide landscape strip adjacent to any driveway and an adjoining property.		
14 Waste Management			
14.2.2 All Other Development			
	A completed Site Waste Minimisation and Management Plan shall be prepared and submitted with the development application. The plan should address the following matters as relevant:	Building waste materials and material stockpile will be maintained in appropriate waste bin on site and be disposed of by appropriate waste management controlling body, as indicated on the accompanying Architectural Plans. A Site Waste	Yes



Section	Requirement	Proposed	Complies
	Indicative Bin Sizes Waste/Recycling Storage Rooms Garbage Truck Dimensions Garbage Chutes.	Management Plan (SWMP) is attached with the development application <b>APPENDIX 13</b> .	
<b>Multi-unit Residential Development – Additional Controls</b>			
	The “Better Practice Guide for Waste Management in Multi-Unit Dwellings” should be used to inform design of multi-unit dwellings for waste recycling/storage rooms and facilities.	Bin storage will be located within the existing shed on-site and collected via existing contractors and council where applicable.	Yes
	The following minimum collection and storage facilities shall be provided:  Residential flat buildings must include communal waste/recycling storage facilities in the form of a waste/recycling storage room (or rooms) designed in accordance with the “Better Practice Guide for Waste Management in Multi-Unit Dwellings”.		
	The waste/recycling storage area(s) or room(s) must be of a size that can comfortably accommodate separate garbage, recycling and garden waste containers at the rate of Council provision.		